

**FAX TRANSMISSION****RECEIVED****DEC 18 2008****DATE:** December 18, 2008**Docket NO.:** 62620A US; **PTO Identifier:** App. No. 10/554,587**PCT LEGAL  
ADMINISTRATION****MESSAGE TO:** Derek A. Putonen**COMPANY:** Office of PCT Legal Administration**FAX NUMBER:** (571) 273-0459**PHONE:** (571) 272-3294**FROM:** Kevin J. Nilsen**PHONE:** (248) 391-6321**PAGES (Including Cover Sheet):** 24**HARD COPY TO FOLLOW:** ☐ YES ☒ NO**MESSAGE:** Response Under 37 CFR 1.137 (A)

Electronic Docket

Paper Docket

Declaration

If your receipt of this transmission is in error, please notify this firm immediately by collect call to sender at (248) 391-6321 and send the original transmission to us by return mail at the address below.

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**THE DOW CHEMICAL CO.--DO NOT USE**  
2030 Dow Center, Midland, Michigan 48674  
**Telephone:** (989) 636-2213 **Facsimile:** (989) 636-3237

Docket No.: 62620A US  
(PATENT)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:  
Aleksander J. Pyzik, Ing-Feng Hu, Ted A. Morgan,  
Daniel R. Lister, Robert A. Newman, Richard A.  
Lungard, and Qin Deng

Application No.: 10/551,727

Confirmation No.: n/a

Filed: October 3, 2005

Art Unit: N/A

For: COMPOSITION FOR MAKING METAL  
MATRIX COMPOSITES

Office of PCT Legal Admin: Derek  
A. Putonen

**RESPONSE TO DECISION ON PETITION UNDER 37 CFR 1.137 (A)**

MS PCT  
Commissioner for Patents  
Office of PCT Legal Administration  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

**PETITION UNDER 37 CFR 1.181**

This is in response to the Decision on Petition dated November 18, 2008, Applicants' petition under 37 CFR 1.181 to Withdraw Holding of Abandonment Based on Failure to Receive Office Action for application number 10/551,727.

*Description of the Docketing System:*

The procedure for incoming mail from the USPTO and computer docketing of events (e.g., dates and type of response required,) is as follows for mail directed to Dow's PO box for USPTO correspondence:

1. Received by Dow and delivered to the IP File Room.
2. File Room Mail Clerk opens/date stamps document.

Application No. 10/551,727  
Response dated December 18, 2008  
Reply to Office Action of November 18, 2008

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Docket No. 62620A US

3. Document is delivered to Docketing.
4. Document is docketed, initialed and dated by Docketing Paralegal.
5. If urgent, a copy of the document is e-mailed to attorney/support staff.
6. Document is returned to File Room.
7. File Room Clerk scans and uploads document into Dow's document management system which is viewable within the Intellectual Property Management System (Electronic Docketing System).
8. Document is sent/delivered to the attorney's support staff.

With regard to the particular Office Action not received, on September 23, 2008, we (The Dow Chemical Company "Dow", assignee of record) received a Notice of Abandonment for patent application number 10/551,727 (Attorney Docket No. 62620A) for failure to respond to a Notification of Missing Requirements that the U.S. patent office mailed on January 22, 2008 as per a copy subsequently obtained by Dow after receiving the Notice of Abandonment (mailed September 15, 2008). The due date for the response was March 22, 2008.

*Establishment of Non-receipt of the Office Action:*

The first time we had notice of the Notification of Missing Requirements was upon receipt of the Notice of Abandonment. After receiving the Notice of Abandonment, the application file was searched and a further investigation was carried out to find any evidence of the receipt of the Notification of Missing Requirements (search of pertinent mail areas and discussions with responsible employees) by Dow's Leader of IP Business Services (Laura Reinhold). In the search and investigation, the Notice of Missing Requirement was not found and no record of receipt of it was found. A copy of the Notice of Missing Requirements was first received on October 08, 2008 after being requested by Dow.

Dow employs an electronic docketing system with all docketing information being accessed by each individual agent or attorney. Dockets are run on a periodic basis for each attorney (approximately monthly). The individual electronic docket record for attorney docket number 62620A (Application No. 10/551,727) is attached. This docket record shows no record

Application No. 10/551,777  
Response dated December 18, 2008  
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of receipt of the Notice of Missing Requirements until after receipt of a copy of it from the U.S. Patent Office on October 8, 2008. This copy was then input into the docketing system as shown in the attached sheet (input date of October 9, 2008 and due date March 22, 2008). Also attached are two copies of my working dockets for the time in which the Notice of Missing Requirements would have been docketed, with notes by my Office Professional (Carol Axtell) on the progress of work etc. These dockets were run on February 2, 2008 and March 17, 2008. As shown by the electronic docket of the individual record and my dockets, there is no record of the Notice of Missing Requirements (docket number 62620A) until a copy was received on October 8, 2008.

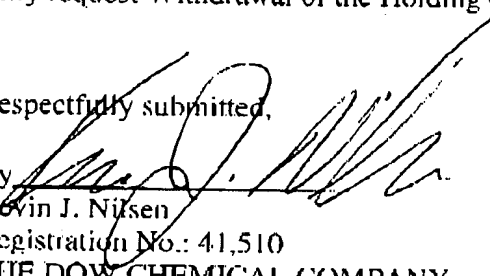
This is the first instance (over ten years employed as a patent agent/attorney at Dow), relying upon The Dow Chemical Company's mail and docketing system, that I have not received an Office Action resulting in a Notice of Abandonment. From the above, I state, I did not receive the Notice of Missing Requirements at the correspondence of record and that a search of my records indicates that the Notice of Missing Requirements was not received.

We are also including a complete declaration for each inventor. In one instance one set of the declaration was signed by two inventors. All other sets were signed individually, therefore instead of having 14 pages (2 pages for each of the seven inventors) we have 12 pages.

From the above, Applicants' respectfully request Withdrawal of the Holding of Abandonment.

Dated: December 18, 2008

Respectfully submitted,

By   
Kevin J. Nilsen  
Registration No.: 41,510  
THE DOW CHEMICAL COMPANY  
P.O. Box 1967  
Midland, Michigan 48641-1967  
(248) 391-6321

Input date	Event	Nature	Deadline	Perform	Acknow	Amount	Direction
04/08/2004	Designated	2004010837	04/03/2004				
04/08/2004	Priority	60/461642	04/03/2003				
10/03/2005	National phase		10/19/2005	09/25/2005	10/24/2005	1.08E+00	Out
10/05/2005	Filing	10/551727	04/08/2004				
10/05/2005	Expired		04/08/2004				
10/05/2005	Disclosure Statement		12/28/2005	03/01/2006	03/14/2006	0.00	
03/23/2006	Disclosure Statement	Supplemental	03/23/2006				
10/12/2006	Status Check		04/12/2007	04/12/2007			
10/09/2006	Response	MISSING PARTS	03/22/2008	10/30/2008			
10/30/2008	Trickle		01/30/2008				
11/21/2008	Response	DISMISSAL	01/18/2009				

Date: 02/08/2008

Page: 1

**SCHEDULE FOR THERMOSETS/DOWAUTOMOTIVE Kevin Nilson**

Period from 10/20/2007 to 04/30/2008

File	Patent	Event	Deadline	Perform	Comments
63991A	US/NP	Disclosure Statement	10/20/2007		<i>Kevin is reviewing</i>
Nature: Parties:					
65045A	US/NP	Disclosure Statement	10/20/2007		<i>Kevin is reviewing</i>
Nature: Parties:					
64645B	WO/PCT	Reception WIPO (PCT Record Copy)	12/18/2007		<i>CAA</i>
Nature: Parties:					
64269B	WO/PCT	International Exam (PCT Demand)	12/22/2007		<i>Kevin Cohen</i>
Nature: Parties:					
64266A	US/NP	File Assignment	1/13/2008		<i>Patent to Crystal for recording - CAA</i>
Nature: Parties:					
64645A	US/NP	Disclosure Statement	1/17/2008		<i>CAA</i>
Nature: Parties:					
63991A	US/NP	File Assignment	1/20/2008		<i>CAA</i>
Nature: Parties:					
65045A	US/NP	File Assignment	1/20/2008		<i>CAA</i>
Nature: Parties:					
61804C	US/DIV	Office action	1/22/2008		<i>Kevin is working on</i>
Nature: Parties:					
44455A	EP/EPT	Oral Proceedings	2/13/2008		
Nature: SUMMONS Parties:					
65046B	WO/PCT	Search Report	2/16/2008		<i>CAA</i>

Dow Chemical

Nature: Parties:					
65071B	WO/PCT	Reception WIPO [PCT Record Copy]	2/21/2008		<i>can</i>
Nature: Parties:					
65356	US/PSP	Six Month Provisional Check	2/27/2008		<i>working on formal papers can</i>
Nature: Parties:					
63126A	RU/PCT	Extend OA	2/28/2008		<i>offered to elimination, Jennifer + is checking w/ them 2/28/08</i>
Nature: Parties:					
63577C	US/DIV1	Final Rejection Response	3/12/2008		
Nature: Parties:					
63577C	US/DIV1	Notice of Appeal	3/12/2008		
Nature: Parties:					
65071A	US/NP	Disclosure Statement	3/12/2008		<i>can</i>
Nature: Parties:					
64402B	WO/PCT	National phase 1 [PCT DO]	3/15/2008		<i>Dany Cohen</i>
Nature: Parties:					
64402B	WO/PCT	National phase 2 [PCT EO]	3/15/2008		<i>Dany Cohen has requested country list</i>
Nature: Parties:					
61861A	EP/EPT	Extend OA	3/16/2008		
Nature: Parties:					
85045B	WO/PCT	Written Opinion	3/16/2008		
Nature: Parties:					
82832A	EP/EPT	Answer to notification 51(4) (EPA)	3/19/2008		<i>received country list 2/8/08</i>
Nature: Parties:					
61604B	US/DIV1	Office action	3/28/2008		

Dow Chemical

Nature: Parties:					
64545	ZA/PCT	Acceptance Date	3/29/2008		Can
Nature: Parties:					
61804A	US/PDV	Office action	4/3/2008		
Nature: Parties:					
63571B	CN/PCT	Extend OA	4/4/2008		
Nature: Parties:					
64603B	TH/NP	Tickle	4/4/2008		Can
Nature: Parties:					
64176A	CN/PCT	Examination	4/5/2008		Can
Nature: 2 Parties:					
64288B	WO/PCT	Search Report	4/5/2008		Can
Nature: Parties:					
66312	US/PSP	Six Month Provisional Check	4/12/2008		Can
Nature: Parties:					
61861A	CN/PCT	Response	4/14/2008		
Nature: Parties:					
62243A	CA/PCT	Examination	4/15/2008		Can
Nature: Parties:					
62243A	KR/PCT	Examination	4/15/2008		Can
Nature: Parties:					
64645A	US/NP	File Assignment	4/17/2008		Can
Nature: Parties:					
63577B	BH/PCT	Examination	4/19/2008		Can
Nature: Parties:					
63577B	JP/PCT	Examination	4/19/2008		Can
Nature: Parties:					

Dow Chemical



Date : 02/08/2008

Page : 2

**SCHEDULE FOR THERMOSETS/DOWAUTOMOTIVE Kevin Nilsen**

Period from 10/20/2007 to 04/30/2008

File	Patent	Event	Deadline	Perform	Comments
63577B	RU/PCT	Examination	4/19/2008		<i>OK</i>
Nature:					
Parties:					
63577B	IN/PCT	Examination	4/21/2008		<i>OK</i>
Nature: PRI					
Parties:					

Dow Chemical

Date: 03/17/2008

Page: 1

## SCHEDULE FOR THERMOSETS/DOWAUTOMOTIVE Kevin Nilsen

Period from 01/01/2008 to 06/31/2008

File	Patent	Event	Deadline	Perform	Comments
64645A	US/NP	Disclosure Statement	1/17/2008		<i>OK</i>
Nature: Parties:					
85358	US/PSP	Six Month Provisional Check	2/27/2008		
Nature: Parties:					
63577C	US/DIV1	Notice of Appeal	3/12/2008	<i>3/12/08</i>	<i>Response to the Office Action Allowed</i>
Nature: Parties:					
65071A	US/NP	Disclosure Statement	3/12/2008		<i>OK</i>
Nature: Parties:					
61861A	EP/EPT	Extend OA	3/16/2008		<i>Robert G. G. (working on)</i>
Nature: Parties:					
65045B	WO/PCT	Written Opinion	3/16/2008		
Nature: Parties:					
61804B	US/DIV1	Office action	3/28/2008		<i>Kevin</i>
Nature: Parties:					
61804A	US/POV	Office action	4/3/2008		<i>Kevin</i>
Nature: Parties:					
63571B	CN/PCT	Extend OA	4/4/2008		<i>Kevin</i>
Nature: Parties:					
65312	US/PSP	Six Month Provisional Check	4/12/2008		<i>OK</i>
Nature: Parties:					
61861A	CN/PCT	Response	<del>4/14/2008</del>		<i>Kevin</i>
Nature: Parties:					
UC18070A	CN/PCT	Response	<del>4/15/2008</del>		<i>Kevin</i>
Nature: Parties:					

Dow Chemical

Nature: Parties:					
61615A	US/NP	File Assignment	4/17/2008		Done
Nature: Parties:					
63284A	US/NP	Final Rejection Response	4/30/2008		Done
Nature: Parties:					
63284A	US/NP	Notice of Appeal	4/30/2008		Done
Nature: Parties:					
43034	CA/PCT	Response	5/1/2008		Done
Nature: unextendible Parties:					
63284A	EP/EPT	Amendment	5/2/2008		Done
Nature: Parties:					
65957		Deadline for Priority Filing	5/4/2008		Done
Nature: Parties:					
64286B	WO/PCT	Written Opinion	5/5/2008		Done
Nature: Parties:					
63284B	US/CNT1	Office action	5/7/2008		Done
Nature: Parties:					
64286B	WO/PCT	International Exam [PCT Demand]	5/14/2008		Done
Nature: Parties:					
63991B	WO/PCT	International Exam [PCT Demand]	5/21/2008		Done
Nature: Parties:					
65045B	WO/PCT	International Exam [PCT Demand]	5/21/2008		Done
Nature: Parties:					
UC18102A	EP/EPT	Response	5/28/2008		Done

Dow Chemical

Nature: Parties:					
63865A	US/NP	Office action	5/29/2008		
Nature: Parties:					

Dow Chemical

# DECLARATION AND POWER OF ATTORNEY USA/PCT

As a below named inventor, I hereby declare that:

- (a) My residence and Citizenship are as stated below my name. My P.O. (mailing) address is the same as my residence unless otherwise stated.
- (b) I verily believe I am/we are the original, first and sole/joint inventor(s) of the subject matter that is embraced by and for which a patent is sought on the invention entitled: **COMPOSITION FOR MAKING METAL MATRIX COMPOSITES** and the specification of which: ☐ is attached hereto (\_\_\_\_\_) ☒ was filed on October 3, 2005 as (62620A).  
Application No. 10/551,727  
and was amended on \_\_\_\_\_
- (c) I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above. *In the event that the filing date and/or Application No. are not entered above at the time I execute this document, and if such information is deemed necessary, I hereby authorize and request my attorney/agent(s) at The Dow Chemical Company, P.O. Box 1967, Midland, Michigan 48674, to insert above the filing date and/or Application No. of said application.*
- (d) I acknowledge my duty under 37 CFR 1.56 to disclose to the U.S. Patent and Trademark Office all information known to me to be material to patentability as defined in 37 CFR 1.56(b). If this application is a continuation-in-part application, I acknowledge the duty to disclose all information known to me to be material to patentability as defined in 37 CFR 1.56(b) that became available between the filing date of the prior application from which priority is claimed in part (f) below, and the national or PCT international filing date of this application.
- (e) I hereby claim foreign priority benefits under 35 U.S.C. § 119(a)-(d) or §365(b) of any foreign application(s) for patent or inventor's certificate listed below or §365(a) of any PCT international application that designated at least one country other than the United States of America listed below, and also identify below any other foreign equivalent application for patent or inventor's certificate or any other equivalent PCT international application having a filing date before that of the application on which priority is claimed.

PRIOR FOREIGN APPLICATION(S)			PRIORITY CLAIMED	CERTIFIED COPIES INCL.
Number	Country or PCT	Day/Month/Year Filed		
			<input type="checkbox"/>	<input type="checkbox"/>

☐ Additional claims for benefit are attached.

(f) I hereby claim the benefit under 35 U.S.C. § 119(e) of any United States provisional application(s) listed below, or under 35 U.S.C. § 120 of any United States application(s), or under § 365(c) of any PCT international application designating the United States of America listed below (and do hereby authorize Assignee or its designee to insert here the Priority Number, Filing Date, and Filing Country):

US or PCT Appln. Serial No.	Filing Date	Status at Application Filing Date
PCT/US2004/010837	April 8, 2004	

☐ Additional claims for benefit are attached.

I hereby appoint the attorney(s) and/or agent(s) at the following Customer No. to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith. Address all correspondence to appointed counsel, at:

00109 (TDCC)

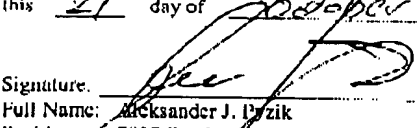
and all practitioners at Customer Number 00109 all of The Dow Chemical Company, P.O. Box 1967, Midland, Michigan 48641-1967

This appointment, including the right to delegate this appointment, shall also apply to the same extent it is applicable under the laws of the United States of America to any proceedings established by the Patent Cooperation Treaty.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true, and further that these statements are made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both under 18 U.S.C. § 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Inventor(s):

At: Midland, Michigan 48674 USA  
this 21 day of October, 2008

Signature:   
Full Name: Aleksander J. Pzlik  
Residence: 3012 Scarborough Lane  
Midland, Michigan 48640  
Country: United States of America  
Citizenship: United States of America  
P.O. Address: Same as residence

At: Midland, Michigan 48674 USA  
this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_

Signature: \_\_\_\_\_  
Full Name: Terry I. Hu  
Residence: 6117 Londonherrie Court  
Midland, Michigan 48640  
Country: United States of America  
Citizenship: United States of America  
P.O. Address: Same as residence

At: Midland, Michigan 48674 USA  
this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_

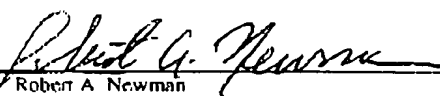
Signature: \_\_\_\_\_  
Full Name: Ted A. Morgan  
Residence: 4610 Bristol Court  
Midland, Michigan 48640  
Country: United States of America  
Citizenship: United States of America  
P.O. Address: Same as residence

At: \_\_\_\_\_  
this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_

Signature: \_\_\_\_\_  
Full Name: Daniel R. Lister  
Residence: 4755 Highlands Drive  
Delaware, Ohio 43015  
Country: United States of America  
Citizenship: United States of America  
P.O. Address: Same as residence

( ) Additional names and signatures are attached.

At: Midland, Michigan 48674 USA  
this 21 day of October, 20 08

Signature:   
Full Name: Robert A. Newman  
Residence: 218 Wanetah Drive  
Midland, Michigan 48640  
Country: United States of America  
Citizenship: United States of America  
P.O. Address: Same as residence

At: Midland, Michigan 48674 USA  
this \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_\_

Signature: \_\_\_\_\_  
Full Name: Richard Allen Lundgard  
Residence: 919 Whispering Oak Drive  
Midland, Michigan 48642  
Country: United States of America  
Citizenship: United States of America  
P.O. Address: Same as residence

At: \_\_\_\_\_  
this \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_\_

Signature: \_\_\_\_\_  
Full Name: Qin Deng  
Residence: 300 Jin Xiu Road; Building No. 2; Room 402  
Pudong, Shanghai 200135  
Country: P.R. China  
Citizenship: United States of America  
P.O. Address: Same as residence

At: \_\_\_\_\_  
this \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_\_

Signature: \_\_\_\_\_  
Full Name: \_\_\_\_\_  
Residence: \_\_\_\_\_  
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Citizenship: \_\_\_\_\_  
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Citizenship: \_\_\_\_\_  
P.O. Address: \_\_\_\_\_

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Citizenship: \_\_\_\_\_  
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At: \_\_\_\_\_  
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Citizenship: \_\_\_\_\_  
P.O. Address: \_\_\_\_\_

At: \_\_\_\_\_  
this \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_\_

Signature: \_\_\_\_\_  
Full Name: \_\_\_\_\_  
Residence: \_\_\_\_\_  
Country: \_\_\_\_\_  
Citizenship: \_\_\_\_\_  
P.O. Address: \_\_\_\_\_

## DECLARATION AND POWER OF ATTORNEY

USA/PCT

As a below named inventor, I hereby declare that:

- (a) My residence and Citizenship are as stated below my name. My P.O. (mailing) address is the same as my residence unless otherwise stated.
- (b) I verily believe I am/we are the original, first and sole/joint inventor(s) of the subject matter that is embraced by and for which a patent is sought on the invention entitled: **COMPOSITION FOR MAKING METAL MATRIX COMPOSITES** and the specification of which: ☐ is attached hereto ( ) ☒ was filed on October 3, 2005 as (62620A).  
Application No. 10/551,727  
and was amended on \_\_\_\_\_
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- (d) I acknowledge my duty under 37 CFR 1.56 to disclose to the U.S. Patent and Trademark Office all information known to me to be material to patentability as defined in 37 CFR 1.56(b). If this application is a continuation-in-part application, I acknowledge the duty to disclose all information known to me to be material to patentability as defined in 37 CFR 1.56(b) that became available between the filing date of the prior application from which priority is claimed in part (f) below, and the national or PCT international filing date of this application.
- (e) I hereby claim foreign priority benefits under 35 U.S.C. § 119(a)-(d) or §365(b) of any foreign application(s) for patent or inventor's certificate listed below or §365(a) of any PCT international application that designated at least one country other than the United States of America listed below, and also identify below any other foreign equivalent application for patent or inventor's certificate or any other equivalent PCT international application having a filing date before that of the application on which priority is claimed:

PRIOR FOREIGN APPLICATION(S)			PRIORITY CLAIMED	CERTIFIED COPIES INCL.
Number	Country or PCT	Day/Month/Year Filed		
			<input type="checkbox"/>	<input type="checkbox"/>

☐ Additional claims for benefit are attached.

(f) I hereby claim the benefit under 35 U.S.C. § 119(e) of any United States provisional application(s) listed below, or under 35 U.S.C. § 120 of any United States application(s), or under § 365(c) of any PCT international application designating the United States of America listed below (and do hereby authorize Assignee or its designee to insert here the Priority Number, Filing Date, and Filing Country).

US or PCT Appln. Serial No.	Filing Date	Status at Application Filing Date
PCT/US2004/010837	April 8, 2004	

☐ Additional claims for benefit are attached.

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00109 (TDCC)

and all practitioners at Customer Number 00109 all of The Dow Chemical Company, P.O. Box 1967, Midland, Michigan 48641-1967

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Inventor(s):

At: Midland, Michigan 48674 USA  
this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_

Signature: \_\_\_\_\_  
Full Name: Aleksander J. Pyzik  
Residence: 3012 Scarborough Lane  
Midland, Michigan 48640  
Country: United States of America  
Citizenship: United States of America  
P.O. Address: Same as residence

At: Midland, Michigan 48674 USA  
this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_

Signature: \_\_\_\_\_  
Full Name: Terry I. Hu  
Residence: 6117 Londonberrie Court  
Midland, Michigan 48640  
Country: United States of America  
Citizenship: United States of America  
P.O. Address: Same as residence

At: Midland, Michigan 48674 USA  
this 22nd day of October, 2007

Signature: [Signature]  
Full Name: Ted A. Morgan  
Residence: 4610 Bristol Court  
Midland, Michigan 48640  
Country: United States of America  
Citizenship: United States of America  
P.O. Address: Same as residence

At: \_\_\_\_\_  
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Signature: \_\_\_\_\_  
Full Name: Daniel R. Lister  
Residence: 4755 Highlands Drive  
Delaware, Ohio 43015  
Country: United States of America  
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P.O. Address: Same as residence

( ) Additional names and signatures are attached.

CASE NO.

At: Midland, Michigan 48674 USA  
this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_

Signature: \_\_\_\_\_  
Full Name: Robert A. Newman  
Residence: 218 Wawetah Drive  
Midland, Michigan 48640  
Country: United States of America  
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Full Name: Richard Allen Lundgard  
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DECLARATION AND POWER OF ATTORNEY USA/PCT

As a below named inventor, I hereby declare that:

- (a) My residence and citizenship are as stated below my name. My P.O. (mailing) address is the same as my residence unless otherwise stated.
- (b) I verily believe I am/we are the original, first and sole/joint inventor(s) of the subject matter that is embraced by and for which a patent is sought on the invention entitled **COMPOSITION FOR MAKING METAL MATRIX COMPOSITES** and the specification of which: ☐ is attached hereto ( )  
☒ was filed on October 3, 2005 as (62620A).  
 Application No. 10/551,727  
 and was amended on \_\_\_\_\_
- (c) I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above. In the event that the filing date and/or Application No. are not entered above at the time I execute this document, and if such information is deemed necessary, I hereby authorize and request my attorney/agent(s) at The Dow Chemical Company, P.O. Box 1967, Midland, Michigan 48674, to insert above the filing date and/or Application No. of said application.
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- (e) I hereby claim foreign priority benefits under 35 U.S.C. § 119(a)-(d) or § 365(b) of any foreign application(s) for patent or inventor's certificate listed below or § 365(a) of any PCT international application that designated at least one country other than the United States of America listed below, and also identify below any other foreign equivalent application for patent or inventor's certificate or any other equivalent PCT international application having a filing date before that of the application on which priority is claimed:

PRIOR FOREIGN APPLICATION(S)			PRIORITY CLAIMED	CERTIFIED COPIES INCL.
Number	Country or PCT	Day/Month/Year Filed		
			<input type="checkbox"/>	<input type="checkbox"/>

☐ Additional claims for benefit are attached.

(f) I hereby claim the benefit under 35 U.S.C. § 119(e) of any United States provisional application(s) listed below, or under 35 U.S.C. § 120 of any United States application(s), or under § 365(e) of any PCT international application designating the United States of America listed below (and do hereby authorize Assignee or its designees to insert here the Priority Number, Filing Date, and Filing Country):

US or PCT Appln. Serial No.	Filing Date	Status of Application Filing Date
PC17/US2004/010837	April 8, 2004	

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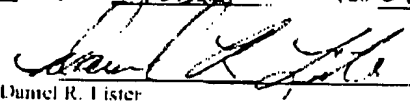
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Inventor(s):

At _____	Midland, Michigan 48674 USA
this _____ day of _____	2008
Signature: _____	
Full Name: Aleksander J. Pyzak	
Residence: 3012 Scarborough Lane Midland, Michigan 48640	
Country: United States of America	
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☐ Additional claims for benefit are attached.

- (f) I hereby Claim the benefit under 35 U.S.C. § 119(c) of any United States provisional application(s) listed below, or under 35 U.S.C. § 120 of any United States application(s), or under § 365(c) of any PCT international application designating the United States of America listed below (and do hereby authorize Assignee or its designee to insert here the Priority Number, Filing Date, and Filing Country)

US or PCT Appln. Serial No.	Filing Date	Status at Application Filing Date
PCT/US2004/010837	April 8, 2004	

☐ Additional claims for benefit are attached

I hereby appoint the attorney(s) and/or agent(s) at the following: Customer No. to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith. Address all correspondence to appointed counsel at:

00109 (TDCC)

and all practitioners at Customer Number 00109 all of The Dow Chemical Company, P. O. Box 1967, Midland, Michigan 48674 1967

This appointment, including the right to delegate this appointment, shall also apply to the same extent it is applicable under the laws of the United States of America to any proceedings established by the Patent Cooperation Treaty

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true, and further that these statements are made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both under 18 U.S.C. § 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon

Inventor(s):

At: Midland, Michigan 48674 USA  
this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_

Signature: \_\_\_\_\_  
Full Name: Aleksander J. Pyzik  
Residence: 3012 Scarborough Lane  
Midland, Michigan 48640  
Country: United States of America  
Citizenship: United States of America  
P.O. Address: Same as residence

At: Midland, Michigan 48674 USA  
this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_

Signature: \_\_\_\_\_  
Full Name: Terry I. Hu  
Residence: 6117 Londonherrie Court  
Midland, Michigan 48640  
Country: United States of America  
Citizenship: United States of America  
P.O. Address: Same as residence

At: Midland, Michigan 48674 USA  
this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_

Signature: \_\_\_\_\_  
Full Name: Ted A. Morgan  
Residence: 4610 Bristol Court  
Midland, Michigan 48640  
Country: United States of America  
Citizenship: United States of America  
P.O. Address: Same as residence

At: \_\_\_\_\_  
this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_

Signature: \_\_\_\_\_  
Full Name: Daniel R. Lister  
Residence: 4755 Highlands Drive  
Delaware, Ohio 43015  
Country: United States of America  
Citizenship: United States of America  
P.O. Address: Same as residence

☐ Additional names and signatures are attached.

At: Midland, Michigan 48674 USA  
this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_

Signature: \_\_\_\_\_  
Full Name: Robert A. Newmun  
Residence: 218 Wancatah Drive  
Midland, Michigan 48640  
Country: United States of America  
Citizenship: United States of America  
P.O. Address: Same as residence

At: Midland, Michigan 48674 USA  
this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_

Signature: \_\_\_\_\_  
Full Name: Richard Allen Lundgard  
Residence: 919 Whispering Oak Drive  
Midland, Michigan 48642  
Country: United States of America  
Citizenship: United States of America  
P.O. Address: Same as residence

At: Shanghai 200135 China  
this 22nd day of October, 2008

Signature: Qin Deng  
Full Name: Qin Deng  
Residence: 300 Jin Xiu Road; Building No. 2; Room 402  
Pudong, Shanghai 200135  
Country: P.R. China  
Citizenship: United States of America  
P.O. Address: Same as residence

At: \_\_\_\_\_  
this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_

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P.O. Address: \_\_\_\_\_

## DECLARATION AND POWER OF ATTORNEY

USA/PCT

As a below named inventor, I hereby declare that:

- (a) My residence and Citizenship are as stated below my name. My P.O. (mailing) address is the same as my residence unless otherwise stated.
- (b) I verily believe I am/we are the original, first and sole/joint inventor(s) of the subject matter that is embraced by and for which a patent is sought on the invention entitled: **COMPOSITION FOR MAKING METAL MATRIX COMPOSITES** and the specification of which: ☐ is attached hereto ( ) ☒ was filed on October 3, 2005 as (62620A) Application No. 10/551,727 and was amended on \_\_\_\_\_.
- (c) I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above. *In the event that the filing date and/or Application No. are not entered above at the time I execute this document, and if such information is deemed necessary, I hereby authorize and request my attorney(s) at The Dow Chemical Company, P.O. Box 1967, Midland, Michigan 48674, to insert above the filing date and/or Application No. of said application.*
- (d) I acknowledge my duty under 37 CFR 1.56 to disclose to the U.S. Patent and Trademark Office all information known to me to be material to patentability as defined in 37 CFR 1.56(b). If this application is a continuation-in-part application, I acknowledge the duty to disclose all information known to me to be material to patentability as defined in 37 CFR 1.56(b) that became available between the filing date of the prior application from which priority is claimed in part (f) below, and the national or PCT international filing date of this application.
- (e) I hereby claim foreign priority benefits under 35 U.S.C. § 119(a)-(d) or § 365(b) of any foreign application(s) for patent or inventor's certificate listed below or § 365(a) of any PCT international application that designated at least one country other than the United States of America listed below, and also identify below any other foreign equivalent application for patent or inventor's certificate or any other equivalent PCT international application having a filing date before that of the application on which priority is claimed:

PRIOR FOREIGN APPLICATION(S)			PRIORITY CLAIMED	CERTIFIED COPIES INCL.
Number	Country or PCT	Day/Month/Year Filed		
			<input type="checkbox"/>	<input type="checkbox"/>

☐ Additional claims for benefit are attached.

(f) I hereby claim the benefit under 35 U.S.C. § 119(e) of any United States provisional application(s) listed below, or under 35 U.S.C. § 120 of any United States application(s), or under § 365(c) of any PCT international application designating the United States of America listed below (and do hereby authorize Assignee or its designee to insert here the Priority Number, Filing Date, and Filing Country):

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☐ Additional claims for benefit are attached.

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00109 (TDCC)

and all practitioners at Customer Number 00109 all of The Dow Chemical Company, P. O. Box 1967, Midland, Michigan 48641-1967

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Inventor(s):

At: Midland, Michigan 48674 USA  
this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_

Signature: \_\_\_\_\_  
Full Name: Aleksander I. Pyzik  
Residence: 3012 Scarborough Lane  
Midland, Michigan 48640  
Country: United States of America  
Citizenship: United States of America  
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this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_

Signature: \_\_\_\_\_  
Full Name: Daniel R. Lister  
Residence: 4755 Highlands Drive  
Delaware, Ohio 43015  
Country: United States of America  
Citizenship: United States of America  
P.O. Address: Same as residence

( ) Additional names and signatures are attached.

CASE NO.

At: \_\_\_\_\_  
this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_  
Midland, Michigan 48674 USA  
Signature: \_\_\_\_\_  
Full Name: Robert A Newman  
Residence: 218 Wanetah Drive  
Midland, Michigan 48640  
Country: United States of America  
Citizenship: United States of America  
P.O. Address: Same as residence

At: \_\_\_\_\_  
this 22 day of OCTOBER, 2005  
Midland, Michigan 48674 USA  
Signature: Richard Allen Lundgard  
Full Name: Richard Allen Lundgard  
Residence: 919 Whispering Oak Drive  
Midland, Michigan 48642  
Country: United States of America  
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\*\*\* RX REPORT \*\*\*  
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RECEPTION OK

TX/RX NO	7006
RECIPIENT ADDRESS	2483916505
DESTINATION ID	
ST. TIME	12/18 10:09
TIME USE	04'12
PGS.	24
RESULT	OK